

SENATE JOINT RESOLUTION 63

By Kurita

A RESOLUTION to propose an amendment to Article VI, Section 5 of the Constitution of the State of Tennessee, to provide for the popular election of the Attorney General and Reporter for the State.

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FIFTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a majority of all the members of each house concurring, as shown by the yeas and nays entered on their journals, that it is proposed:

That Article VI, Section 5, of the Constitution of the State of Tennessee be amended by deleting the first sentence and by substituting instead the following:

An attorney general and reporter for the state shall be popularly elected by the qualified voters of the state and shall hold office for a term of four years and until a successor is elected and qualified. The attorney general and reporter shall be at least thirty years of age, shall be a citizen of the United States, and shall have been a citizen of this state at least five years immediately preceding his or her election. The attorney general and reporter may prosecute any violation of the state criminal statutes in any court having jurisdiction of the matter and may perform all prosecutorial functions attendant thereto, and shall perform such other duties as are authorized or required by law.

BE IT FURTHER RESOLVED, That upon ratification of the amendment proposed herein at the November 2010 general election, a popular election for an interim attorney general and reporter shall be held at the November 2012 general election and the person elected shall serve as interim attorney general and reporter for a term of two (2) years; and a popular election for attorney general and reporter shall be held at the November 2014 general election and every four (4) years thereafter.

BE IT FURTHER RESOLVED, That upon ratification of the amendment proposed herein at the November 2010 general election, the Justices of the Supreme Court shall retain power to fill, until the November 2012 general election, any vacancy arising in the office of attorney general and reporter.

BE IT FURTHER RESOLVED, That the foregoing be referred to the One Hundred Sixth General Assembly and that this resolution proposing such amendment be published in accordance with Article XI, Section 3 of the Constitution of the State of Tennessee.

BE IT FURTHER RESOLVED, That the clerk of the Senate is directed to deliver a copy of this resolution to the secretary of state.